

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America,
Plaintiff,

vs.

Robert Allen Pooley,
Defendant.

Sacramento, California
No. 2:21-cr-00111
Monday, May 20, 2024
9:01 a.m.

TRANSCRIPT OF JURY TRIAL
BEFORE THE HONORABLE WILLIAM B. SHUBB, SENIOR JUDGE
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1 Q. And then he says, If you have any more questions, e-mail me
2 directly, right?

3 A. Yep.

4 Q. And then, Look forward to seeing you on the 6th?

5 A. Yeah.

6 Q. And where were you located when you got that e-mail?

7 A. Ensenada.

8 Q. What was your understanding, from this e-mail, about what
9 he was offering you?

10 A. He was going to be my tandem examiner and was going to
11 conduct our -- my jumps and training.

12 Q. And when he said, E-mail me directly, did that help your
13 understanding that he was your examiner?

14 A. Yeah. Instead of sending the mail --

15 MS. CRAGER: I'm sorry. Objection. Leading.

16 THE COURT: Sustained.

17 Q. BY MR. SHARMA: Did you trust his representations in this
18 e-mail?

19 A. Yes.

20 Q. Is there a level of trust among skydivers?

21 A. Yeah. It's, like, a -- it's, like, a small community, and
22 we know each other; so we'd be able to, like --
23 trustworthiness, friendship, relationship, all the time. And
24 so yeah. We take care of each other every time we get into an
25 airplane. That's how it works.

1 A. We just landed, and he just says me to fill up all the --
2 the photocopies of the paperwork. Told me to fill up all the
3 blank spaces, and he was going to take care of the rest and
4 collect the money. And then I started, like, packing up
5 because I had to go catch a train to go back to -- back home.

6 Q. Okay. So you paid some money for the course?

7 A. Yeah.

8 Q. Did you give him \$1100?

9 A. What?

10 Q. Did you pay the \$1100?

11 A. No. I -- I gave that -- I gave some money -- I don't
12 remember. It was, like, years ago. But I -- I give some money
13 to -- to Mike Spurgeon, and Mike paid to Bill, and then they
14 split the rest. I don't know how they deal with it. But it
15 was less, like, \$150 that I hand to Rob that day.

16 Q. Okay.

17 A. Something like --

18 Q. You don't remember exactly?

19 A. The amount, yeah.

20 Q. But you -- you paid some to different people?

21 A. Yes.

22 Q. Including Rob?

23 A. Yes.

24 Q. Okay. In total, did you pay the \$1100 that Rob Pooley had
25 said in his e-mail was cost of the course?

1 A. Yeah, was the total.

2 Q. Was this the first time you had met Rob Pooley when he
3 showed up on that day?

4 A. Yes.

5 Q. You mentioned paperwork. So tell me about the paperwork.

6 A. All the forms, you need to fill up to file them in USPA and
7 UPT. Like, general information card in front and license and
8 number of jumps and that -- who you call in case of an
9 emergency. And you sign the waiver.

10 And then you need to -- there is a written test that you
11 need to answer. And that's the same with the -- it's the
12 same -- almost the same, UPT and USPA.

13 Q. So this was a USPA/UPT-specific forms?

14 A. Forms.

15 Q. Were they tandem instructor forms?

16 A. Tandem instructor ratings.

17 Q. And did Pooley give them to you?

18 A. No. He kept them and told he was going to send them to
19 UPT/USPA. And then --

20 Q. Let me -- before you filled them out, did he give you the
21 forms to fill out?

22 A. Yes. Yes, he gave me forms.

23 Q. Did you notice if that -- if those -- if that paperwork had
24 any signatures on them?

25 A. I saw they were signed already.

1 Q. They were already signed --

2 A. Yeah.

3 Q. -- before you --

4 A. But it was a copy. Like, a -- like, a ink sign.

5 Q. So, like, a photocopy?

6 A. Yeah.

7 Q. Okay. And it already had signatures on there --

8 A. Yes.

9 Q. -- before you filled it out?

10 A. Yes.

11 Q. Whose signatures were on there?

12 A. Later, I knew it was Yuri Garmashov's signature. But I
13 don't know Yuri Garmashov's signature. So that -- I don't --
14 when everything happened, I know that it was signed by Yuri.

15 Q. Signed by Yuri?

16 A. Yeah.

17 Q. Did it have Yuri Garmashov's name on it?

18 A. I don't remember.

19 Q. Okay.

20 A. But I seen a signature.

21 Q. Did it have Rob Pooley's name on it?

22 Did it have Rob Pooley's name on it?

23 A. I didn't check.

24 Q. But you saw signatures that were Yuri Garmashov's
25 signatures?

1 A. Later, I knew it was Yuri Garmashov, but at that moment, I
2 couldn't tell that was Yuri Garmashov's signature.

3 Q. Okay. Did -- when he gave you this paperwork, did he have
4 more copies of the paperwork, or was it the only --

5 A. Yeah. He had a handful of them.

6 Q. A handful of them?

7 A. Yeah.

8 Q. They were all -- they all had pre -- pre-signatures?

9 A. Yes.

10 Q. Did Yuri Garmashov -- do you know him?

11 A. No. I know him because he's a -- like, a skydive
12 celebrity. Everybody knows him. But I don't know him in
13 person.

14 Q. Did he -- was he -- did he conduct any part of your
15 training at Parachute Center?

16 A. No.

17 Q. Was he present at all there?

18 A. No, he was not in Lodi.

19 Q. You didn't see him at all?

20 A. No.

21 Q. Did you find it strange that Pooley had paperwork that
22 contained Yuri's signatures on it?

23 A. Later, then I was, like, yeah.

24 Q. So did you talk to Rob about it?

25 A. No. That day, I just left and -- and then I was waiting

1 for -- I give him an address -- well, I -- I text him to see
2 what was -- what timeline was the process of my ratings. And
3 yeah.

4 Q. What did he tell you about the paperwork -- what would
5 happen with the paperwork?

6 A. He told me that he had no time to send it. So I sent him
7 an address, and I told him, Okay. Send it to me, and I put it
8 on the mail to expedite the thing. And the day after, then
9 Sergii call me to told me that our ratings were pulled.

10 Q. Okay. Did he -- did Pooley tell you that he was going to
11 send it to USPA/UPT?

12 A. Yes.

13 Q. Okay. And from your understanding, what an examiner does,
14 was that what you expected your examiner to do?

15 A. Yeah. He is, like, your professor from the beginning to
16 the end, the whole process, and you get your card. Yeah.

17 Q. Okay. Whose job is it to know how the paperwork works?

18 MS. CRAGER: Objection. Speculation.

19 THE COURT: Sustained.

20 Q. BY MR. SHARMA: Did -- did you trust your examiner to know
21 that he would handle your paperwork?

22 A. Yes.

23 Q. So when you left the Parachute Center, did you -- you left
24 your paperwork there, or did you take it with you?

25 A. No. I left it there, and, yeah, back home.

1 Q. You left it with Pooley?

2 A. Yes.

3 Q. Did he say anything about whether he was going to submit it
4 to USPA or UPT?

5 A. It was -- was to -- put it on the envelope and mail it or
6 fax it. I don't know what's the process he -- well -- the way
7 he filed it. But yeah, I just left and was waiting for my --
8 for my cards to get to the others.

9 Q. Okay. So you left it with him, and you were just waiting
10 for your cards to come in the mail?

11 A. Yeah.

12 Q. Okay. Now, at any point in time when you were at Parachute
13 Center or before you got to Parachute Center, did Rob Pooley
14 tell you that his examiner rating was suspended?

15 A. No.

16 Q. And if he had told you that, would you have still attended
17 the course at Parachute Center?

18 A. No.

19 Q. So after you left Parachute Center, did you go straight
20 back to Mexico?

21 A. Yes.

22 Q. And then did you get your cards in the mail?

23 A. No, I never get them.

24 Q. You never got them?

25 A. No.